(48)

HIGH COURT OF CHHATTISGARH AT BILASPUR

WRIT PETITION (S) No. 3504 of 2007

PETITIONER : NARESH CHANDRAKER, S/o Shri Shatrughan Lal Chandraker, Age about 37 years, Occupation- Service as Shiksha Karmi Verg-II, Presently Posted at government Higher Secondary School, Ganaud, Vikaskhand – Aarang, Distt: Raipur [C.G.]

VERSUS

RESPONDENTS :
1. STATE OF CHHATTISGARH Through the Secretary, School Education Department, DKS Building, Raipur (C.G.)
2. The Secretary, Panchayat & Social Welfare Department, D.K.S.Building, Raipur [C.G.]
3. The Collector, Raipur, Distt: Raipur [C.G.]
4. DISTRICT EDUCATION OFFICER, Pension Bada, Raipur, Distt: Raipur [C.G.]
5. C.R.Devangan, Senior Shikshak, Government High School, Ganoud, Arang, Distt: Raipur [C.G.]

WRIT PETITION UNDER ARTICLE 226/227 OF THE CONSTITUTION OF INDIA

Single Bench : Hon'ble Justice Shri Satish K. Agnihotri.

Present: Shri Sunil Sahu, Advocate for the petitioner.
Shri Arvind Dubey, Panel Lawyer for the State/respondents 1 to 4.

ORDER

(Passed on 25th day of June, 2007)

1. Learned counsel appearing for the petitioner submits that the petitioner Shri Naresh Chandraker working as Shiksha Karmi Grade II, vide order dated 19.02.2007 (Annexure P/6), was assigned the charge of Principal, Government High School, Ganoud, on temporary basis till further order Thereafter, by order dated 18.05.2007 (Annexure P/7), the additional charge granted to the petitioner was withdrawn and the same was handed over to the senior most teacher Shri C.R.Dewangan (respondent No. 5) of the Government High School Ganoud.

2. Being aggrieved, the petitioner has filed this petition on the ground that the impugned order dated 18.05.2007 is discriminatory as the petitioner is teaching higher classes.

3. Be that as it may, the petitioner has not acquired any right to the post of Principal as he was assigned the additional charge to look after the vacant post of the Principal of the concerned school. It was clearly stated in the order that the assignment of the additional charge was temporary and until further orders till any other officer joins the office. By the impugned order, the senior most teacher has been given the charge of Principal of High School Ganoud, may be he is teaching lower classes. On the basis of teaching of class, one does not get seniority and this is also not the case of the petitioner that he is senior to Shri C.R.Devangan.

4. In view of the foregoing, there is no merit in this case. Thus, this petition is dismissed, summarily.

Sd/-
Satish K.Agnihotri
Judge

Amit